

IC 6-9-34

Chapter 34. Entertainment Facility Admissions Tax

IC 6-9-34-1

Ordinance imposing tax; exemptions

Sec. 1. (a) Except as provided in subsection (b), after June 30 of a year but before January 1 of the following year, the fiscal body of a city may adopt an ordinance to impose an excise tax, known as the entertainment facility admissions tax, for the privilege of attending any event:

(1) held in a privately owned outdoor entertainment facility that:

(A) has a minimum capacity of at least ten thousand (10,000) patrons; and

(B) is located in a geographic area that has been annexed by the city before the adoption of the ordinance; and

(2) to which tickets are offered for sale to the public by:

(A) the box office of the facility; or

(B) an authorized agent of the facility.

(b) The excise tax imposed under subsection (a) does not apply to the following:

(1) An event sponsored by an educational institution or an association representing an educational institution.

(2) An event sponsored by a religious organization.

(3) An event sponsored by an organization that is considered a charitable organization by the Internal Revenue Service for federal tax purposes.

(4) An event sponsored by a political organization.

(5) An event for which tickets are sold on a per-vehicle or similar basis and not on a per-person basis.

(c) If the fiscal body adopts an ordinance under subsection (a), the tax applies to an event ticket purchased after:

(1) December 31 of the calendar year in which the ordinance is adopted; or

(2) a later date that is set forth in the ordinance.

The tax terminates and may not be collected for events that occur after the city has satisfied any outstanding obligations described in section 5(c)(2) of this chapter.

As added by P.L.254-2003, SEC.13.

IC 6-9-34-2

Admission tax rate

Sec. 2. (a) As used in this section, "paid admission" refers to each person who pays a price for admission to any event described in section 1(a) of this chapter. The term does not include persons who are entitled to be at an event without having paid a price for admission.

(b) The entertainment facility admission tax equals fifty cents (\$.50) for each paid admission to an event described in section 1 of this chapter.

As added by P.L.254-2003, SEC.13.

IC 6-9-34-3

Tax liability; duty to collect tax

Sec. 3. (a) Each person who pays a price for admission to an event described in section 1(a) of this chapter is liable for the tax imposed under this chapter.

(b) The person who collects the price for admission shall collect the entertainment facility admissions tax imposed under this chapter at the same time the price for admission is paid. The person shall collect the tax as an agent of the city in which the facility described in section 1 of this chapter is located.

As added by P.L.254-2003, SEC.13.

IC 6-9-34-4

Remitting tax to city

Sec. 4. (a) A person who collects a tax under section 3 of this chapter shall remit the revenue collected monthly to the city fiscal officer. The tax collected from persons paying for admission to a particular event shall be remitted not more than twenty (20) days after the end of the month during which the event occurred.

(b) At the time the tax revenues are remitted, the person shall report the amount of tax collected on forms approved by the city fiscal body.

As added by P.L.254-2003, SEC.13.

IC 6-9-34-5

City ticket tax fund; deposits of tax; uses

Sec. 5. (a) If a tax is imposed under this chapter, the city fiscal body shall establish a city ticket tax fund. The city fiscal officer shall deposit money received under section 4 of this chapter in the city ticket tax fund.

(b) Money earned from the investment of money in the fund becomes a part of the fund.

(c) Money in the fund may be used by the city only for the following:

(1) Costs to construct, reconstruct, or improve public thoroughfares or highways to improve ingress or egress to and from the facility.

(2) Payment of principal and interest on bonds issued, or lease rentals on leases entered into, by the city to finance the construction, reconstruction, or improvement of public thoroughfares or highways under subdivision (1). Costs payable under this subdivision include costs of capitalized interest and legal, accounting, and other costs incurred in the issuance of any bonds or the entering into of any leases.

(3) Payment of any access or connection fee imposed on the facility for access to the city's public sewer system, as long as the fee applies to all property owners served and is uniformly assessed within the city's corporate boundaries.

As added by P.L.254-2003, SEC.13.

IC 6-9-34-6

Agreement to facilitate administration

Sec. 6. The city fiscal body may enter into any agreement or contract with the owner of the facility to facilitate the administration of an ordinance adopted under this chapter.

As added by P.L.254-2003, SEC.13.

IC 6-9-34-7

Covenant of general assembly; impairment of bonds

Sec. 7. With respect to:

(1) bonds, leases, or other obligations to which the city has pledged revenues under this chapter; and

(2) bonds issued by a lessor that are payable from lease rentals; the general assembly covenants with the city and the purchasers or owners of the bonds or other obligations described in this section that this chapter will not be repealed or amended in any manner that will adversely affect the collection of the tax imposed under this chapter or the money deposited in the city ticket tax fund, as long as the principal of or interest on any bonds, or the lease rentals due under any lease, are unpaid.

As added by P.L.254-2003, SEC.13.